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Attorneys for Defendants, Counter Claimants and Third Party Claimants ROBERT E. ESTUPINIAN, GINNY ESTUPINIAN and MUTUAL VISION, LLC, and Defendants and Third Party Claimants MILLENNIUM REALTY GROUP, VESTA REVERSE 100, LLC, VESTA CAPITAL ADVISORS, LLC, EDMUNDO ESTUPINIAN, and HAYDEE ESTUPINIAN

**UNITED STATES DISTRICT COURT OF CALIFORNIA**

**NORTHERN DISTRICT OF CALIFORNIA**

**SAN JOSE DIVISION**

VESTA STRATEGIES, LLC,

Plaintiff,

vs.

ROBERT E. ESTUPINIAN, GINNY ESTUPINIAN, MUTUAL VISION, LLC, MILLENNIUM REALTY GROUP, VESTA REVERSE 100, LLC, VESTA CAPITAL ADVISORS, LLC, CAROL-ANN TOGNAZZINI, EDMUNDO ESTUPINIAN, and HAYDEE ESTUPINIAN,

Defendants.

AND RELATED CROSS-ACTIONS.

Case No.: C 07-06216 JW RS

**NOTICE OF MOTION AND MOTION OF DEFENDANTS, COUNTER CLAIMANTS, AND THIRD PARTY CLAIMANTS ROBERT E. ESTUPINIAN AND GINNY ESTUPINIAN FOR AN ORDER COMPELLING PLAINTIFF/COUNTER DEFENDANT VESTA STRATEGIES, LLC AND COUNTER DEFENDANT/THIRD PARTY DEFENDANT JOHN TERZAKIS TO PRODUCE TAX RECORDS AND DOCUMENTS**

Date: June 9, 2008

Time: 9:00 a.m.

Dept: Room 8, 4<sup>th</sup> Floor

Before: Judge James Ware

TO PLAINTIFF/COUNTER DEFENDANT VESTA STRATEGIES, LLC AND COUNTER DEFENDANT/THIRD PARTY DEFENDANT JOHN TERZAKIS AND THEIR ATTORNEYS OF RECORD:

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NOT OF MOT & MOT OF DEFS, COUNTER CLAIMANTS, & THIRD PARTY CLAIMANTS ROBERT E. ESTUPINIAN & GINNY ESTUPINIAN FOR AN ORDER COMPELLING PLAINTIFF/COUNTER DEF VESTA STRATEGIES, LLC & COUNTER DEF/THIRD PARTY DEF JOHN TERZAKIS TO PRODUCE TAX RECORDS & DOCS  
CASE NO. C 07-06216 JW RS

1 PLEASE TAKE NOTICE that on June 9, 2008 at 9:00 a.m. in the Courtroom of United  
2 States District Court Judge James Ware located at 280 S. 1<sup>st</sup> Street, San Jose, California in  
3 Department 8 on the 4<sup>th</sup> Floor, defendants, counter claimants and third party claimants Robert E.  
4 Estupinian and Ginny Estupinian respectfully will and hereby do move this Court for an order  
5 requiring plaintiff/counter defendant Vesta Strategies, LLC and counter defendant/third party  
6 defendant John Terazkis to produce to moving parties tax and financial records of Vesta  
7 Strategies, LLC, and to pay moving parties attorneys' fees.

8 This motion is based upon this Notice and the Memorandum of Points and Authorities  
9 and Declarations of Robert Estupinian, David Buchanan and Brian M. O'Dea, previously filed  
10 and served.

11 Date: May 7, 2008 RANDICK O'DEA & TOOLIATOS, LLP

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13 By: /s/  
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